



08/418870

PATENT  
Atty. Docket No. 0085.006

**CERTIFICATE OF EXPRESS MAILING:**

I hereby certify that I am depositing this paper with the United States Postal Service under the "Express Mail, Post Office to Addressee" service under 37 CFR §1.10 on April 7, 1995, Express Mail mailing label no. RB 694 348 919 US, addressed to the Commissioner of Patents and Trademarks, BOX FWC, Washington, D.C. 20231.

Barbara G. McClung

(Name of person mailing paper or fee)

Barbara G. McClung

(Signature of person mailing paper or fee)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: VAN NEST, et al.

Serial No.: FWC of S.N. 08/215,007

Group Unit: 1811

Filed: Even Date Herewith

Examiner: Salata

For: ADJUVANT FORMULATION COMPRISING  
A SUBMICRON OIL DROPLET EMULSION

**TRANSMITTAL LETTER**

The Honorable Commissioner  
of Patents and Trademarks  
BOX FWC  
Washington, D.C. 20231

Sir:

Enclosed are the following documents:

1. Request Form for File Wrapper Continuing Application Under 37 CFR 1.62



PATENT  
Atty. Docket No. 0085.006

2. **COPY:** Petition for Three-Month Extension of Time Pursuant to 37 CFR 1.17(b), mailed 04/07/95 to PTO, for Serial No. 08/215,007
3. A check in the amount of \$730.00 representing the filing fee. The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.16 or to Deposit Account No. 03-1664. This, however, is not authorization to pay the issue fee. A duplicate sheet is attached.
4. Postal Receipt Card

Dated: April 7, 1995

Respectfully submitted,

By: Barbara G. McClung  
Barbara G. McClung  
Reg. No. 33,113

CHIRON CORPORATION  
Intellectual Property-R440  
4560 Horton Street  
Emeryville, CA 94608-2916  
Telephone: (510) 601-2708  
Facsimile: (510) 655-3542



730- 101

A/FWC

08/418870

PATENT

Atty. Docket No. 0085.006

REQUEST FORM FOR FILE WRAPPER CONTINUING APPLICATION  
UNDER 37 CFR 1.62

#34  
Amdt. #  
5/18/95

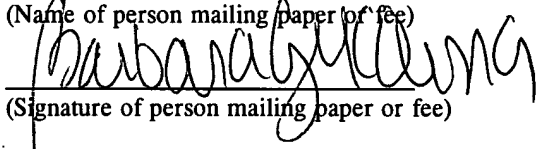
<u>Docket Number</u>  0085.006	<u>Anticipated Classification of This Application:</u>  Class _____ Subclass _____	<u>Prior Application:</u>  No. 08/215,007	<u>Prior Application:</u>  Art Unit: 1811 Examiner: C. Salata
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## CERTIFICATE OF EXPRESS MAILING:

I hereby certify that I am depositing this paper with the United States Postal Service under the "Express Mail, Post Office to Addressee" service under 37 CFR §1.10 on April 7 1995, Express Mail mailing label no. RB 694 348 919 US, addressed to the Commissioner of Patents and Trademarks, BOX FWC, Washington, D.C. 20231.

Barbara G. McClung

(Name of person mailing paper or fee)

  
(Signature of person mailing paper or fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

The Honorable Commissioner  
of Patents and Trademarks  
BOX FWC  
Washington, D.C. 20231

Sir:

This is a request for filing a continuation application under 37 CFR 1.62 of pending prior application Serial No. 08/215,007, filed on March 21, 1994 for ADJUVANT FORMULATION COMPRISING A SUBMICRON OIL DROPLET EMULSION by the following named inventors:

Full Name of FIRST Inventor:

100  
Gary A. VAN NEST

Residence:

4890 San Pablo Dam Road  
El Sobrante, CA 94803 CA

Country of Citizenship:

Canadian

Full Name of SECOND Inventor:

200  
Gary OTT

Residence:

112 Marlow Drive  
Oakland, CA 94605 CA

Country of Citizenship:

United States of America

Full Name of THIRD Inventor:

300  
Gail L. BARCHFELD

Residence:

2225 Romey Lane  
Hayward, CA 94541 CA

Country of Citizenship:

United States of America

**The above-identified prior application in which no payment of the issue fee, abandonment of, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application.**

Please use all the contents of the prior application file wrapper, including the drawings, as the basic papers for the new application.

1.    \_\_\_    Enter the amendment previously filed on \_\_\_ under 37 CFR 1.116 but unentered, in the prior application.
2.    \_\_\_    A preliminary amendment is enclosed.

The filing fee is calculated on the basis of the claims existing in the prior application as amended at 1 and 2 above.

	<u>Number Filed</u>		<u>Number Extra</u>	<u>Rate</u>		<u>Calculations</u>
Basic Fee					=	\$ 730.00
Total Claims	11 - 20	=	0	x \$ 22.00	=	\$ -
Indep. Claims	1 - 3	=	0	x \$ 76.00	=	\$ -
Multiple Dependent Claims Presented				+ \$ 230.00	=	\$ -
Total of Above Calculations						\$ 730.00

3. ☒ The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR §1.16 or §1.17 to Deposit Account No. 03-1664. This, however, is not authorization to pay the issue fee. A duplicate sheet is attached.

4. ☒ A check in the amount of \$730.00 is enclosed.

5. ☐ A new oath or declaration is included since this application is a continuation-in-part which discloses and claims additional matter.

6. ☒ Amend the specification by inserting before the first line the sentence:

*3/1 Subst*  
*all*  
This application is a continuation of Application Serial No. 08/215,007,  
filed March 21, 1994. *W*

7. ☐ \_\_\_\_\_ verified statement(s) claiming small entity status (is)(are) enclosed.

8. ☐ Priority of application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_ is claimed under 35 U.S.C. 119.

☐ The certified copy of the priority application:

- ☐ is enclosed  
☐ has been filed in prior application Serial No. \_\_\_\_\_,  
filed on \_\_\_\_\_  
☐ has not yet been filed.

9. ☒ The prior application is assigned of record to: CHIRON CORPORATION  
Reel/Frame: 5446/0019  
Recordation Date: 09/24/90

10. ☒ The current power of attorney in the prior application is to: Robert P. Blackburn (30,447); Ling-Fong Chung (P36,482); Amy L. Collins (33,370); Kenneth M. Goldman (34,174); Grant D. Green (31,259); Barbara G. McClung (33,113); and Philip L. McGarrigle, Jr. (31,395)

- a. ☒ The power appears in the original papers in the prior application.
- b. ☒ Recognize as Associate Attorney: Paul B. Savereide (36,914); Paul B. Simboli (38,616); and Alisa A. Harbin (33,895)
- c. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- d. ☐ Power filed during prosecution.
- e. ☒ Address all future communications:

Barbara G. McClung, Esq.  
Chiron Corporation  
Intellectual Property Department-R440  
P.O. Box 8097  
Emeryville, CA 94662-8097  
Telephone: (510) 601-2708  
Facsimile: (510) 655-3542

It is understood that secrecy under 35 U.S.C. 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file wrapper of a 37 CFR 1.62 application, be it either this application or a prior application in the same file wrapper, the Patent and Trademark Office may provide similar information or access to all other applications in the same file wrapper.

4/7/95  
Date

Barbara G. McClung  
Attorney of Record: Barbara G. McClung  
Registration No: 33,113

Address of Signator:

Chiron Corporation  
Intellectual Property-R440  
4560 Horton Street  
Emeryville, CA 94608-2916  
Telephone: (510) 601-2708  
Facsimile: (510) 655-3542

- ☒ attorney or agent of record  
☐ filed under §1.34(a)  
☐ inventor(s)  
☐ assignee of complete interest

COPY



PATENT  
Serial No. 08/215,007  
Attorney Docket No. 0085.005

I hereby certify that this paper is being deposited in the United States Postal Service as first class mail in an envelope addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231 on April 2, 1995.

Barbara G. McClung  
Reg. No. 33,113

                      
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: VAN NEST, et al.

Serial No.: 08/215,007

Group: 1811

Filed: March 21, 1994

Examiner: C. Salata

For: ADJUVANT FORMULATION COMPRISING  
A SUBMICRON OIL DROPLET EMULSION

PETITION FOR TWO-MONTH EXTENSION OF TIME  
PURSUANT TO 37 CFR 1.17(d)

The Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Sir:

Applicants herewith request a two-month extension of time to respond to the Office Action mailed on January 17, 1995. Applicant is filing a File Wrapper Continuing Application according to C.F.R. 1.62 today under separate cover.

COPY



COPY

PATENT  
Serial No. 08/215,007  
Attorney Docket No. 0085.005

Enclosed please find a check in the amount of \$370.00 representing the extension fee.

The Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR 1.16 and 1.17 to Deposit Account No. 03-1664. This, however, is not authorization to pay the issue fee. A duplicate sheet is attached.

Respectfully submitted,

Dated: April 7, 1995

By: Barbara G. McClung  
Barbara G. McClung  
Reg. No. 33,113

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COPY